



Docket No.: 1349.1168

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jong-hwa PARK et al.

Serial No. 10/612,054

Group Art Unit: 2852

Confirmation No. 4301

Filed: July 3, 2003

Examiner: Hoan H. Tran

For: IMAGE FORMING APPARATUS AND CONTROL METHOD THEREOF

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Office Action mailed September 21, 2004.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims.

The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features of claims 2, 6, 7 and 9-24. However, it is submitted that not all of the features listed by the Examiner are recited in all of the identified claims.

By way of example, the Examiner's Reasons refer to an apparatus. However, independent claims 2 and 6 recite a method. The reasons also refer to a first test AC voltage and a second test AC voltage. However, independent claim 7 does not recite these features. The discrepancies between the Examiner's Reasons and the recited claims are not necessarily limited to those specifically listed herein.


It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

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Date: 3-15-05

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